

JAN 06 2006

PTO/SB/30 (08-00)

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**Request
FOR
Continued Examination (RCE)
TRANSMITTAL**Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000.
Provides for continued examination of an utility or plant
applicationFiled on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	10/035,319
Filing Date	October 26, 2001
First Named Inventor	Hill et al.
Group Art Unit	3766
Examiner Name	F. Oropeza
Attorney Docket Number	P10124.00

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114**a. ☒ Previously submitted****i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on November 7, 2005**
(Any unentered amendment(s) referred to above will be entered).**ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____****iii. ☐ Other _____****b. ☐ Enclosed****i. ☐ Amendment/Reply****ii. ☐ Affidavit(s)/Declaration(s)****iii. ☐ Information Disclosure Statement (IDS)****iv. ☐ Other _____****2. Miscellaneous****a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)****b. ☐ Other _____****3. Fees**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, as well as any deficiencies, or credit any overpayments, to Deposit Account No. 13-2546**i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)****ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)****iii. ☐ Other _____****b. ☐ Check in the amount of \$ _____ enclosed****c. ☐ Payment by credit card (Form PTO-2038 enclosed)****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**Name (Print/Type) Paul H. McDowallRegistration No. 34,873Signature *P. McDowall*

(Attorney/Agent)

Date 6 Jan 06**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) Molly ChlebeckSignature *Molly Chlebeck*

Date

January 6, 2006

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
RCE TRANSMITTAL

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JAN 06 2006

In re Application of: Michael R.S. Hill et al.
For: CLOSED LOOP NEUROMODULATION FOR PREVENTION AND
TREATMENT OF CARDIAC CONDITIONS
Serial No.: 10/035,319
Filed: October 26, 2001

CERTIFICATE UNDER 37 CFR §1.8 I hereby certify that the paper(s)
(2 total) as described herein are being sent to telefacsimile No. (571) 273-8300,
MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450, on January 6, 2006.

Molly Chlebeck
Signature

MOLLY CHLEBECK
Printed Name

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450,
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

X Request for RCE Transmittal

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- ☒ Applicant requests a one-month extension of time to respond to the Advisory Action dated November 30, 2005, from December 6, 2005, to January 6, 2006.
- ☒ Please charge Deposit Account No. 13-2546 in the amount of \$910.00, (\$790.00 for the RCE fee as required under 37 CFR 1.17(e) and \$120.00 for the one-month extension fee). The Commissioner is authorized to charge any deficiencies, and credit any overpayments, to Deposit Account No. 13-2546.
- ☐ Applicant believes that no extension of time is required. However, if an extension of time is required, please consider this a petition therefor to provide for the possibility that applicant has inadvertently overlooked the need for an extension of time.

Date

6 Jan 06

Paul H. McDowall
Paul H. McDowall, Reg. No. 34,873
Telephone: (763) 514-3351
Customer No. 27581

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